

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty and of the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the letter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended ?

The claims only.

The description and the drawings may only be amended during international preliminary examination under Chapter II.

When ? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How ? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

What documents must/may accompany the amendments ?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confounded with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

Express Mail No.: EL 500 576 834 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chung et al.

Confirmation No.: 9987

Application No.: 10/070,350

Group Art Unit: To be assigned

Filed: February 27, 2002

Examiner: To be assigned

For: OSTEONECTIN BASED TOXIC
GENE THERAPY FOR THE
TREATMENT OF CALCIFIED
TUMORS AND TISSUES

Attorney Docket No.: 9426-023

PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the Rules of Practice, please enter the following amendments and consider the remarks below in connection with the above-identified application. Attached hereto is Exhibit A, which is a marked up version of the amended paragraphs of the specification indicating the amendments made herein. Applicants also submit herewith (a) a Sequence Listing in paper and computer readable form pursuant to 37 C.F.R. §§1.821, (b) a Transmittal of Sequence Listing, and (c) an Amendment Fee Transmittal Sheet.

IN THE SPECIFICATION

Please amend the specification as follows:

On page 10, please amend the paragraph beginning on line 1 to recite as follows:

Figure 1: OSN Regulatory Region Sequence from -1409 to +904 (SEQ ID NO:1).

On page 10, please amend the paragraph beginning on line 30 to recite as follows:

Figure 11: OSN Regulatory Region Sequence from -522 to +62 (SEQ ID NO:2).

On page 47, please amend the paragraph beginning on line 26 to recite as follows: